



AF
Jpr

PTO/SB/21 (09-04)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/637,205
	Filing Date	August 8, 2003
	First Named Inventor	MCGRATH
	Art Unit	1618
	Examiner Name	Kim, Vickie Y.
Total Number of Pages in This Submission	Attorney Docket Number	6619-85-1CON

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Interview Summary:
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	Return Receipt Postcard
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	Remarks The Commissioner is authorized to charge any fee deficiencies to Deposit Account No. 50-0951.	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	AKERMAN SENTERFITT		
Signature			
Printed name	Mark A. Buese		
Date	Reg. No.	52,669	

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:		
Signature		
Typed or printed name	Mark A. Buese	Date 4/25/06

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of MCGRATH et al.

Application No. 10/637,205

Art Unit: 1618

Date Filed: August 8, 2003

Examiner: Kim, Vickie Y.

For: METHOD FOR INCREASING TISSUE OXYGENATION

Certificate of Transmission/Mailing

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited as first class mail with the U.S. Postal Service in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on March 3, 2006.


Mark A. Buese, Registration No. 52,669

INTERVIEW SUMMARY

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Interview Summary is submitted for the interview carried out by phone on February 23, 2006 at 11:00 AM between the Examiner Vickie Y. Kim and the Representative for the Applicant, Mark A. Buese, Patent Agent.


The Representative for Applicant introduced the superoxygenated composition common to all claims of the present invention as defined in the specification to be that of oxygen microbubbles in a pharmaceutically acceptable fluid, contending that these compositions were not equivalent to the microbubbles for gas transport containing perfluorocarbons in cited reference US Patent No. 6,127,428 the peroxide containing would dressing of U.S. Patent No. 5,792,090 or the gel with increased oxygen content of U.S. Patent No. 6,139,876.

The Examiner focused on the claims as recited, pointing out that the claims should be clear and concise and that the direct application to the tissue and the exclusion of perfluorocarbon or other gases from the microbubbles must be distinguishable in the claims from the teachings of the cited art as the limitations from the specification are not read into the claims.

No amendments were proposed and no agreement was reached.

Respectfully submitted,
AKERMAN SENTERFITT

Date: 4/25/06



Mark A. Buese, Ph.D.
Registration No. 52,669
P.O. Box 3188
West Palm Beach, FL 33402-3188
Tel: 561-653-5000